

ENVIRONMENTAL ASSESSMENT DECISION NOTICE
for the
Mt. Haggin WMA Addition Fee Title Acquisition
Montana Fish, Wildlife & Parks
Region 3, Bozeman
May 6, 2019

Preface and Proposed Action

The enclosed Decision Notice has been prepared to purchase in fee title a 160-acre parcel of private land adjacent to Mt. Haggin WMA. It is located approximately 10 miles south of Anaconda along MT Highway 569 (“Mill Creek Highway”). The property is owned by the Edna Schmeller Living Trust. The value of the property has been appraised at \$464,000. FWP would pay the appraised value using Habitat Montana funds and possibly other partner funds, including a contribution from the Rocky Mountain Elk Foundation. Upon purchase, the Mt Haggin WMA Addition property would be incorporated into the management of the existing Mt. Haggin WMA. It would be managed for its wildlife, fisheries and recreational values. It would not be incorporated into any existing grazing leases on the WMA. Motorized travel would be restricted to snow machine use December 2-May 15, consistent with management on the adjacent portion of the WMA.

The Mt. Haggin WMA Addition property is bordered by Mt. Haggin WMA on its western and southern boundaries. It contributes to the ecological function of the WMA and surrounding Beaverhead-Deerlodge National Forest. It is part of the migration pathway for mule deer and elk, connecting winter range on the west side of the Continental Divide to calving/fawning areas and summer range east of the divide. Mid-seral lodgepole forests on the property provide calving/fawning areas and elk security in the fall. Two mesic meadows located on the property and the associated aspen- and willow stands provide year-round habitat for moose, beaver, black bear, ruffed grouse, short-tailed weasel and numerous other small mammals, neotropical birds, and potential amphibians and reptiles. The Mt. Haggin WMA Addition also provides summer habitat for sandhill cranes, several species of songbirds, and foraging raptors. Oregon Creek which runs along the western portion of the property provides suitable habitat for brook trout. FWP has plans to restore native westslope cutthroat trout and Arctic grayling to the French Creek watershed, including Oregon Creek on the proposed acquisition property, beginning in 2020. The proposed acquisition by FWP would ensure that Mt. Haggin WMA and this parcel would continue to serve the needs of wildlife. The proposed acquisition would also support native fish restoration projects planned in the drainage and would provide additional public access for hunting, angling, trapping, wildlife-watching and other recreational opportunities.

Public Process and Comments

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on March 27, 2019.

Public comments on the proposed action were taken for 30 days (through April 26, 2019). The public was notified of the proposed action through the following avenues:

- Two legal notices each in *Butte Montana Standard*, *Anaconda Leader*, and *Helena Independent Record*.
- News release distributed to a standard list of media outlets interested in FWP Region 3 issues.
- Copies of the EA mailed or notification of its availability emailed to neighboring landowners and other interested parties, including those on the Butte Area Wildlife Biologist’s distribution list.
- Public notice posted on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>
- Copies of the EA available at FWP Region 3 Headquarters and Butte Area Resource Office; by phoning 406-494-2082; or by emailing vboccadori@mt.gov.

Seventeen comments were received. All were in support of the proposed action (Table 1).

FWP thanks all parties that provided comments to this proposed action.

Table 1: Summary of comments received on the Mt. Haggin WMA Addition proposal. FWP response to comments, where applicable, are in **bold**.

PARTY	FROM	SUPPORT or OPPOSE	COMMENTS
1. Individual	Gallatin Gateway	Support	---
2. Individual	Butte	Support	<p>“The addition of the available acreage would be a great boon to wildlife and increased public access to an ever more valuable resource.”</p> <p>“The potential removal and or replacement of fences to be more wildlife friendly and navigable alone are worth the cost.”</p> <p>“The proximity of the parcel to a public road and already existing public use areas would make for ready accessibility to a large number of people who could enjoy the acquisition.”</p> <p>“Any addition of property to the public domain for benefit of fish, wildlife, and the public use is desirable with the continual pressure to remove high quality habitat for human occupation to the detriment of wildlife.”</p>
3. Individual	Butte	Support	<p>“I fully support the acquisition with the exception of a few serious concerns that must be addressed.</p> <p>A. Why would FWP allow unlimited snowmobile use?”</p> <p>FWP response: If purchased, this parcel would be managed as part of Mt. Haggin WMA. Since it is located east of the continental divide, an area of big game summer range, snowmobile use will be allowed on it as it is on the rest of the WMA east of the divide. Snowmobile use is limited to Dec 2 – May 15.</p> <p>B. “Fish poisoning fiasco under the guise of restoring the westlope and graying again!!”</p> <p>FWP response: If future restoration projects, including fisheries, would be addressed through a separate environmental assessment and are not part of this assessment.</p> <p>C. “Will this be part of the rest-rotation grazing plan if it still exists...?”</p> <p>FWP response: FWP has maintained several rest-rotation grazing systems on Mt. Haggin WMA since 1984. Since this parcel is not adjacent to existing pastures that are part of these grazing systems, it will not be included in that program. In the absence of</p>

			<p>grazing, the opportunity will be taken to remove any existing unnecessary fencing.</p> <p>D. "Public Access. What kind of access will be allowed?"</p> <p>FWP response: The property will be managed for non-motorized travel only. FWP will construct a parking area at the entrance to the property. It was felt that vehicle access would compromise the quality wildlife security that the property provides.</p>
4. Individual	Helena	Support	Same as #3
5. Individual	Emigrant	Support	"The purchase in fee title, at the appraised price seems very fair, and its location couldn't be any better for the WMA. Please "Thank" the Edna Schmeller Living Trust for being so fair with the value of this land."
6. Individual	---	Support	"Any increase in public access is certainly welcome and good for all of us."
7. Individual	Bozeman	Support	"We need to secure parcels like this to protect wildlife habitat and preserve our natural heritage."
8. Individual	Butte	Support	---
9. Individual	Ramsay	Support	---
10. Individual	---	Support	"I think this is a great idea. Anytime you can add on to a WMA for a reasonable price and have the funds available the state should jump at the chance. They do not come around often."
11. Individual	Opportunity	Support	"In my opinion the driveway into the Schmeller land ... should not be open to vehicular traffic. It is a well-used crossing for elk and deer and more driving would just disturb the game and keep spreading knapweed. ...I think you should make a small parking spot down by where the gate is now and that should be it. Walk in only. This is the third time f&g has had a chance to get this property and I hope they don't blow it again as this will be the last chance. take the fence down and allow that much more access to all that public land behind it."
12. Individual	Anaconda	Support	"I have lived, hunted and fished in this area my entire life. This piece of land proposed for purchase is absolutely pristine, wildlife concentrates their throughout most of the year and elk use it for winter migration. If this land becomes public it will be a great addition to all sportsman, hikers, birdwatchers and anyone who simply enjoys the outdoors. Hope it happens would be nice to be allowed back to the old stomping grounds."

13. Skyline Sportsmen Association	Butte	Support	<p>“With the housing subdivision built on the southern end of the WMA, which at one time was the major crossing point for elk migration from the Pintler wilderness area to the Fleecer winter range, this property is located in the major area now used by the migrating elk and is used heavily spring, summer and fall by elk.”</p> <p>“This acquisition would enhance hunters and recreationists use of the WMA.”</p> <p>“Although Skyline supports rest/rotation grazing programs we would prefer this area be left out of any existing or future R/R programs and left for wildlife only...”</p> <p>“The property is really accessible for motorized use by one road and really doesn’t need to be left open, also enhancing wildlife use.”</p> <p>FWP response: As stated in the EA, FWP proposes to manage this property as non-motorized only and not incorporate it into any existing grazing system.</p>
14. Individual	Wise River	Support	<p>“This should have a Multiple Use management style allowing different types of use as is occurring now.”</p> <p>“Although I support this acquisition, a better use of the money would be to obtain land that gives access across private land to other public land.”</p> <p>FWP response: FWP prioritizes land projects that increase public access and secures habitat for wildlife. Projects often arise opportunistically when landowners are willing to work with the department. FWP evaluates these projects semiannually, ranking them relative to other projects available during that cycle in order to allocate limited resources. This proposed acquisition is a priority for FWP because it shares boundary with an existing WMA.</p>
15. Anaconda Sportsmen Club	Anaconda	Support	<p>“This would open access to land on Mt. Haggin WMA that has always been hard to access from Grassy Mt. road, would make retrieval much easier of big game which abound there on this property. ...This would also prevent subdivision and anymore homes being built next to the WMA. We give a big THUMBS UP to the purchase of this property.”</p>
16. Individual	Wise River	Support	<p>“Acquiring this parcel of land is important to protect the headwaters of Oregon Creek from possible future</p>

			<p>development and to reduce conflicts with winter recreationist who are trespassing on this property. I feel the appraised price of \$464,000 is a fair price for the property.”</p> <p>“With all the restoration work being done in the French Creek drainage for Westslope Cutthroat trout, it is vital to acquire and protect private inholdings in this drainage. As stated in the EA, the parcel also provides important habitat for deer, elk, and moose. Sandhill cranes also use the property and as well as some waterfowl on the small beaver dams. Purchasing this property will make a great addition to the Mt. Haggin WMA.”</p>
17. Individual	Anaconda	Support	<p>“I have spent 60 years observing this property through hiking, hunting adjacent to it, or simply driving by. I have to say that this parcel is both the most scenic and also one of the best wildlife bearing areas along the Mill Creek Highway. I have seen many moose, deer and elk on the parcel and an occasional bear. The beaver dams along Oregon Creek offer such great habitat for all types of birds, fish and the moose.”</p> <p>“It’s very accessible to the public to enjoy the many types of recreation afforded...”</p> <p>“This is too valuable of a parcel to lose to development.”</p>

Final Environmental Assessment

The Draft Environmental Assessment, together with this Decision Notice, will serve as the final document for this proposal.

Decision

Based on the Environmental Assessment and public comment, it is my decision to approve the proposed action to purchase the Mt. Haggin WMA Addition, a 160-acre parcel adjacent to the existing Mt. Haggin WMA, pending FWP Commission and MT State Land Board approval.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



Mark Deleray
Region 3 Supervisor
Montana Fish, Wildlife & Parks

May 6, 2019

Date